

Examples of New Hampshire Communities that Enforce Regulations that Exceed the Minimum Requirements of the National Flood Insurance Program

Bath

No development in the special flood hazard areas. A special permit is required for any substantial improvements in the special flood hazard areas.

Bedford

Requires that all development proposals include base flood elevation. For all projects adjacent to flooding sources (i.e. rivers, brooks, streams, watercourses) floodplains shall be defined, both horizontally and vertically. The town lists some sources to make this determination. The town also details a methodology for a floodplain determination if a base flood elevation is not defined on the FIRM. See Section 110 of Land Development Control Regulations at the following link:

http://www.bedfordnh.org/index.asp?subnav=13&pg=dept/planning/plan_ordregs.asp

Bow

No fill shall be permitted in any natural drainage channel, or stream bed. No building, impervious surface, or stripping of topsoil shall be permitted within 25 feet of any pond or the top of any stream bank, or within 35 feet from the stream centerline, where a top of bank is not discernible. A greater setback may be required where it can be demonstrated that these minimum dimensions afford insufficient protection to the natural functioning of these areas. Furthermore, where the provisions of 10.01 Wetlands Conservation (WC) District require greater protection of natural drainage channel or stream bed, the more restrictive standards shall apply.

Canaan

Requires the lowest habitable floor of any new construction or substantial improvements within their Floodplain District be elevated to two feet above the Base Flood Elevation.

See Floodplain District on page 4 at the following link:

<http://web.valley.net/files/canaannh/AdoptedZoningOrdinance.pdf>

Concord

Prohibits residential buildings in floodplain. See Article 28-3-2 at the following link:

<http://www.municode.com/resources/gateway.asp?pid=10210&sid=29>

Conway

Limited uses are allowed by special exception in the town's Floodplain Conservation Overlay District. See Chapter 147.13.14 FLOODPLAIN CONSERVATION OVERLAY (FCO) DISTRICT at the following link:

<http://www.conwaynh.org/assets/pdf/zo041007.pdf>

Cornish

Placement of all new structures, buildings, dwellings, manufactured homes, and recreational vehicles for more than 180 consecutive days are prohibited in the Regulatory Flood Plain District. Expansion of existing structures or use are governed as nonconforming uses and are permitted as special exception and cannot be a substantial improvement.

Easton

Restricts structures and fill in the special flood hazard areas.

Epsom

No encroachments, including fill, new construction, substantial improvements, and other development shall result in any net increase of flood elevation in a special flood hazard area and a net decrease of flood elevation is encouraged.

Francestown

Prohibits specific uses in the floodplain including those with an associated increased pollution risk and any use including housing, commerce, industry, streets, etc. that would result in increased flood heights or additional threats to public health or safety. Any development in the floodplain needs a Special Exception or variance. Such development is regulated by the Flood Hazard Building Code. See Article 2-A.4 – Flood Plain District (page 5) and Flood Hazard Building Code (page 50) in the Zoning Ordinance at the following link: http://www.francestown.info/download/zba_zoning_ordinance.pdf

Franconia

Does not allow any new or extension of existing use in the special flood hazard areas.

Gilsum

Requires recreational vehicles to be on the site fewer than 120 consecutive days.

Grantham

Limited uses allowed in floodplain conservation overlay district; lot, frontage, setback and height requirements in floodplain conservation overlay district. See Article III G of the Zoning Ordinance at the following link: <http://www.granthamnh.net>

Hampton

Prohibits any development (including fill) within a special flood hazard area that would result in any increase in flood levels during the base flood discharge. The placement of manufactured homes is prohibited within the Special Flood Hazard Area except in existing manufactured home parks. See Section 2.4 and 11.6 of the Zoning Ordinance at the following link: <http://www.town.hampton.nh.us/public/planning/Regulations/>

Hancock

Only allows certain uses (farming, forestry, nature preserve, etc.) in the special flood hazard areas.

Hanover

Prohibits any fill, new construction, substantial improvement and any other development within the 100-year floodplain (with some exceptions). See Article VII of the Zoning Ordinance at the following link: [http://www.hanovernh.org/stories/storyReader\\$47](http://www.hanovernh.org/stories/storyReader$47)

Lisbon

Development in floodplain only and only as a Special Exception. See Article IV at the following link:

http://www.lisbonnh.org/Public_Documents/LisbonNH_ZoneOrds/zonetoc

Litchfield

Permitted uses - Any use which is permitted in the underlying zoning district and which does not involve the erection of any new building or structure; the permanent storage of materials or equipment; or the dumping, filling dredging or excavation of any materials. Allows certain Special Exceptions but requires certain conditions be met. See Zoning Ordinance – Section 1100 at the following link:

http://www.litchfield.mv.com/boards/planning_all.html

Keene

Restricts new development in the floodway and requires applicants to provide flood storage compensation in the floodway and floodplain. See Section Chapter 54, Article II – Floodplain at the following link:

<http://www.municode.com/resources/gateway.asp?pid=13267&sid=29>

Piermont

All parts of any structure, residential, non-residential, commercial, industrial, or agricultural, including mobile homes, must be set back at least 75 feet from the floodplain boundary as delineated by the Flood Insurance Rate Map issued by the Federal Emergency Management Agency. Further, that no substantial improvements be permitted to any structure already existing in the delineated flood hazard area.

Salem

Any encroachment, including fill, new construction, substantial improvement, or other development within a special flood hazard area shall provide compensatory floodplain storage equal to the amount of encroachment. All parking areas located within a special flood hazard area shall be tiered, sloped, or otherwise designed to flood during a base flood event. See Item I of Section 309-93.1 of the Miscellaneous section of the Zoning Ordinance at the following link: <http://www.ci.salem.nh.us/planning/planning-division-regulations-and-ordinances.asp>

Somersworth

Requires a residential lot be at a minimum of 15,000 square feet and that not include floodplain area. See at the following link:

<http://www.somersworth.com/vertical/Sites/{6C0E14C8-E211-49B5-B0FF-991673FFDBC8}/uploads/{385C9535-E479-4A86-9F61-DAAB182CF4B5}.PDF>

Swanzey

Development is allowed in the Flood Plain District by special exception only. Placement of mobile home parks is prohibited in the floodplain district and no special exception shall be granted for placement of such park in the Flood Plain District. See Section IX at the following link:

<http://www.town.swanzey.nh.us/vertical/Sites/{760A44B6-0D83-4ACA-89A3-80792F1CB951}/uploads/{B7FC93C0-2956-42FD-941A-8B0E42D39DFB}.PDF>

Thorton

Does not allow land within the floodplain to count towards meeting its 1 acre minimum lot size for residential construction. For commercial and industrial zoned land the floodplain land does not count either, however there is no minimum lot size for these types of uses.

Walpole

All development is prohibited in the Flood Plain District except by Special Exception. No Special Exception shall be granted for placement of manufactured housing within the Flood Plain District. See Article XVIII at the following link:

<http://www.walpolenh.us/Documents/Zoning%20Forms%20&%20Regs/Zoning%20Ordinance%203-06.htm>

Winchester

Requires all new construction or substantial improvement of residential and non-residential structures have the lowest floor (including basement) elevated to at least one foot above the Base Flood Elevation. Requires recreational vehicles be placed on sites for fewer than 120 consecutive days.

Windham

Most of the town's floodplain areas are not available for development due to the restrictions of a wetland buffer that the town has been enforcing since 1974. The wetland buffer is included in the town's Wetlands and Watershed Protection Districts. The permitted uses of the town's Wetlands and Watershed Protection Districts are very restrictive and allow no erection of any permanent building. The districts include "all lands within one hundred and fifty feet (150') of the normal high water mark of Beaver Brook, Golden Brook and Flat Rock Brook." The districts for "any other brook, stream or pond shall include all land within one hundred feet (100') of the normal high water mark of said Brook or stream and one hundred feet (100') from the normal high water of said pond."

<http://windhamnewhampshire.com/govt/policies/Zoning/2006ZoningRegs.pdf>

For more information about higher regulatory standards, please also view the following:

- **Association of State Floodplain Managers – No Adverse Impact Toolkit**
Section B-4 – Regulations and Development Standards
http://www.floods.org/NoAdverseImpact/NAI_Toolkit_2003.pdf
- **FEMA’s Reducing Damage from Localized Flooding – A Guide for Communities**
Part II - Chapter 4 – Regulatory Tools
<http://www.fema.gov/hazard/flood/pubs/flood-damage.shtm>
- **FEMA’s NFIP Floodplain Management Requirements – A Study Guide and Desk Reference for Local Officials – Unit 6 – Additional Regulatory Measures**
http://www.floods.org/Certification/FEMA_480_TOC.asp